

VIA FACSIMILE (718) 260-2536
January 17, 2006

Joan M. Azrack, U.S. Magistrate Judge
225 Cadman Plaza
Brooklyn, New York 11201

Re: Pizzuto v. Alamo Rent-a-Car Inc., et al
D/A: 7/14/02
Docket # CV-04-0929 (ARR)

Dear Magistrate Judge Azrack:

As you are aware, this office represents the plaintiff, Antonio Pizzuto, in the above matter

We write to request an extension of time for all parties to interpose their respective Pre-Trial orders and schedule a conference to resolve the outstanding discovery issues.

Pursuant to the order of this Court dated September 23, 2005, counsel for defendants were to provide a copy of defendant's transcript from the action pending in Supreme Court, Kings County. After review of said transcript, plaintiff was to decide if the deposition of the defendant would be necessary. In addition, all parties were to submit a pre-trial order to the clerk's office by December 16, 2005.

To date, we have not received a copy of George Simakis' deposition transcript from the action pending in the Supreme Court, Kings County. We made numerous good-faith attempts to obtain it from the defendants.

I spoke with Nancy Yuan, Esq., the defendants attorney at the Law Offices of Michael E. Pressman today and she informed me that a copy of the transcript was, in fact, sent to our office. However, we did not receive said transcript. Ms. Yuan is re-sending a copy of George Simakis' transcript and upon receipt, we will determine if a further deposition will be necessary.

Plaintiffs respectfully requested that this Court extend the time for all parties to interpose their respective Pre-Trial Orders and set this matter down for a conference.

Very truly yours,

Asher & Associates, P.C.

Stacy N. Baden

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cc: Law Office of Michael E. Pressman

Attn: Nancy Yuan, Esq.

MOVANT'S COUNSEL IS DIRECTED
TO SERVE A COPY OF THIS ORDER
ON ALL PARTIES UPON RECEIPT

*Application Granted -
Conference Monday,
Jan 30, 2006 at 2:45 PM
all Pre-Trial Order dates
will be adjusted at this conference.*

1-18-06

MOVANT'S COUNSEL IS DIRECTED
TO SERVE A COPY OF THIS ORDER
ON ALL PARTIES UPON RECEIPT